

June 2, 1995

**VETERANS HEALTH ADMINISTRATION (VHA) POLICY FOR  
PREVENTION OF SEXUAL HARASSMENT**

1. **PURPOSE:** The purpose of this VHA Directive is to re-issue policy for implementing the Program for the Prevention of Sexual Harassment in VHA. This Directive replaces VHA Directive 10-93-056.

2. **POLICY:** It is the policy of VHA to maintain a work environment free from sexual harassment and intimidation. Sexual harassment is unacceptable conduct in the workplace and will not be tolerated. This policy applies to all employees and covers employees outside of the workplace while conducting government business, and non-employees while conducting business in the VA workplace.

a. Sexual harassment is a form of employee misconduct which seriously undermines the integrity of the employment relationship. Specifically, sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
- (2) Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual;
- (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

b. Jokes, remarks, teasing, or questions that contain sexual overtures can also be a form of sexual harassment and are not acceptable in a professional work environment and will not be condoned.

c. Managers, supervisors, and employees should become thoroughly knowledgeable of what constitutes sexual harassment and responsive to any form of improper behavior that could lead to such allegations.

3. **ACTION:** It is imperative that VHA officials at the field and Central Office levels be in full compliance with both the spirit and intent of Administration and Department policy as well as all other applicable federal regulations. All employees are expected to refrain from all forms of sexual harassment. All employees engaging in sexually harassing activities may be subject to disciplinary action. Managers and supervisors who tolerate such behavior by failing to take appropriate action, or who retaliate against employees who report incidents or file formal complaints of sexual harassment may also be subject to disciplinary action. Persons who believe they are victims of sexual harassment should address the incident through the Administration's Equal Employment Opportunity (EEO) Discrimination Complaints process or the Union's negotiated grievance procedure. Allegations of such conduct will be responded to immediately, appropriately, and with the seriousness they deserve.

4. **REFERENCES**

- a. MP-7, Part I, Chapter 2, Section F.
- b. Section 703 of Title VII of the Civil Rights Act of 1964.
- c. Reorganization Plan No. 1 of 1978, issued pursuant to 5 United States Code (U.S.C.), 901, et seq.

**THIS VHA DIRECTIVE EXPIRES JUNE 2, 2000**

**VHA DIRECTIVE 10-95-055**  
**JUNE 2, 1995**

- d. Executive Order 12106 (44 F.R. 1053, January 3, 1979).
5. **FOLLOW-UP RESPONSIBILITY:** Director, Management Support Office (163A), is responsible for the content of this Directive.
6. **RESCISSIONS:** VHA Directive 10-93-056 is rescinded. This VHA directive expires on June 2 , 2000.

S/T. Garthwaite for

Kenneth W. Kizer, M.D., M.P.H.  
Under Secretary for Health

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